

COMMONWEALTH OF MASSACHUSETTS

Suffolk, SS

SUFFOLK COUNTY SUPERIOR COURT

PharmScript of MA LLC,)
Plaintiff,)
v.)
Vero Health XV, LLC d/b/a Vero Health & Rehab)
of Amesbury; Vero Health XI, LLC d/b/a Vero)
Health & Rehab of Hampden; Vero Health XVII,) Civil Action No.: 2284cv01383
LLC d/b/a Vero Health & Rehab of Revere; Vero)
Health XIII, LLC d/b/a Vero Health & Rehab of)
South Hadley; Vero Health XIV, LLC d/b/a Vero)
Health & Rehab of Watertown; Vero Health XII,)
LLC d/b/a Vero Health & Rehab of Wilbraham; and)
Vero Health XVI, LLC d/b/a Vero Health & Rehab)
of Worcester;
Defendants.)

)

AGREEMENT FOR JUDGMENT

Plaintiff, PharmScript of MA LLC (“PharmScript”) and defendants, Vero Health XV,
LLC d/b/a Vero Health & Rehab of Amesbury (“Vero Amesbury”), Vero Health XI, LLC d/b/a
Vero Health & Rehab of Hampden (“Vero Hampden”), Vero Health XVII, LLC d/b/a Vero
Health & Rehab of Revere (“Vero Revere”), Vero Health XIII, LLC d/b/a Vero Health & Rehab
of South Hadley (“Vero South Hadley”), Vero Health XIV, LLC d/b/a Vero Health & Rehab of
Watertown (“Vero Watertown”), Vero Health XII, LLC d/b/a Vero Health & Rehab of
Wilbraham (“Vero Wilbraham”), and Vero Health XVI, LLC d/b/a Vero Health & Rehab of
Worcester (“Vero Worcester”) hereby agree that judgment shall enter as follows:

1. On Count I of the Complaint, against Vero Amesbury, judgment for PharmScript
for damages in the amount of \$212,209.69, plus \$64,686.11 in accrued contractual interest
through and including August 12, 2023.

**Entered on docket pursuant to Mass. R. Civ. P. 58(a) as amended.
and notice sent to parties pursuant to Mass. R. Civ. P. 77(d)**

2. On Count II of the Complaint, against Vero Hampden, judgment for PharmScript for damages in the amount of \$105,930.45, plus \$28,852.62 in accrued contractual interest through and including August 12, 2023.
3. On Count III of the Complaint, against Vero Revere, judgment for PharmScript for damages in the amount of \$188,307.29, plus \$67,874.03 in accrued contractual interest through and including August 12, 2023.
4. On Count IV of the Complaint, against Vero South Hadley, judgment for PharmScript for damages in the amount of \$390,188.28, plus \$111,704.02 in accrued contractual interest through and including August 12, 2023.
5. On Count V of the Complaint, against Vero Watertown, judgment for PharmScript for damages in the amount of \$428,722.86, plus \$131,897.65 in accrued contractual interest.
6. On Count VI of the Complaint, against Vero Wilbraham, judgment for PharmScript for damages in the amount of \$354,153.88, plus \$100,109.35 in accrued contractual interest through and including August 12, 2023.
7. On Count VII of the Complaint, against Vero Worcester, judgment for PharmScript for damages in the amount of \$493,734.97, plus \$148,300.17 in accrued contractual interest through and including August 12, 2023.
8. On Counts I-VII, awarding PharmScript as the prevailing party pursuant to parties' contracts a total of \$36,525.12 in reasonable attorney's fees, expenses, and other costs incurred in enforcing those contracts.
9. The parties waive all rights of appeal.

Executed this 23rd day of August, 2023.

PHARMSRIPT OF MA LLC

By its attorneys:


Steven M. Cowley (BBO# 554534)
Lauren A. Appel (BBO# 689084)
DUANE MORRIS LLP
100 High Street, Suite 2400
Boston, MA 02110
Phone: (857) 488-4200
smcowley@duanemorris.com
laappel@duanemorris.com

VERO HEALTH XI, LLC, VERO HEALTH
XV, LLC, VERO HEALTH XVII, LLC, VERO
HEALTH XIII, LLC, VERO HEALTH XIV,
LLC, VERO HEALTH XII, LLC, VERO
HEALTH XVI, LLC,

By their attorneys:


Edward V. Colbert III (BBO No. 566187)

Caitlin A. Romasco (BBO No. 684594)
CASNER & EDWARDS, LLP
303 Congress Street
Boston, Massachusetts 02210
Tel: 617-426-5900
Fax: 617-426-8810
colbert@casneredwards.com
romasco@casneredwards.com

WWR # 040930758

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ADAPTIGE, LLC.	) CASE NO. CV 22-962680
)
)
Plaintiff	) JUDGE MICHAEL J. RUSSO
)
vs.)
)
VERO HEALTH MANAGEMENT, LLC., ET AL.	) <u>CONSENT JUDGMENT ENTRY</u> ()
	) <u>ON COUNT 1 OF PLAINTIFF'S</u>
	) <u>COMPLAINT</u>
)
Defendants)

BY AGREEMENT OF THE PARTIES, Judgment is hereby rendered on behalf of Plaintiff, Adaptige, LLC., against the Defendant, Vero Health XIV, LLC., dba Vero Health & Rehab of Watertown only, on Count One of the Plaintiff's Complaint in the amount of \$135,740.56, together with interest at the statutory rate of 5% per annum from the date of Judgment, plus court costs.

IT IS SO ORDERED.

JUDGE MICHAEL J. RUSSO

Submitted and Approved:

WELTMAN, WEINBERG & REIS CO., LPA GALLAGHER SHARP., LLP.

/s/ Scott S. Weltman
SCOTT S. WELTMAN #0044173
Attorney for Plaintiff
965 Keynote Circle
Cleveland, Ohio 44131
Telephone: (216) 685-1032
Facsimile: (216) 363-6914
Email: sweltman@weltman.com

via consent
JENNIFER F. PHILLIPS #0076769
Attorney for Defendant,
Vero Health XIV, LLC., dba
Vero Health & Rehab of Watertown
1215 Superior Avenue, 7th Floor
Cleveland, OH 44114
Email: jphillips@gallaghersharp.com

WWR # 040930758

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ADAPTIGE, LLC.	)	CASE NO. CV 22-962680
)	
)	
Plaintiff	)	JUDGE MICHAEL J. RUSSO
)	
vs.)	
	)	<u>CONSENT JUDGMENT ENTRY</u>
	)	<u>ON COUNT 2 OF PLAINTIFF'S</u>
	)	<u>COMPLAINT</u>
)	
Defendants)	

BY AGREEMENT OF THE PARTIES, Judgment is hereby rendered on behalf of Plaintiff, Adaptige, LLC., against the Defendant, Vero Health XII, LLC., dba Vero Health & Rehab of Wilbraham only, on Count Two of the Plaintiff's Complaint in the amount of \$202,416.06, together with interest at the statutory rate of 5% per annum from the date of Judgment, plus court costs.

IT IS SO ORDERED.

JUDGE MICHAEL J. RUSSO

Submitted and Approved:
WELTMAN, WEINBERG & REIS CO., LPA GALLAGHER SHARP., LLP.

/s/ Scott S. Weltman
SCOTT S. WELTMAN #0044173
Attorney for Plaintiff
965 Keynote Circle
Cleveland, Ohio 44131
Telephone: (216) 685-1032
Facsimile: (216) 363-6914
Email: sweltman@weltman.com

via consent
JENNIFER F. PHILLIPS #0076769
Attorney for Defendant,
Vero Health XII, LLC., dba
Vero Health & Rehab of Wilbraham
1215 Superior Avenue, 7th Floor
Cleveland, OH 44114
Email: jphillips@gallaghersharp.com

WWR # 040930758

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ADAPTIGE, LLC.	)	CASE NO. CV 22-962680
)	
)	
Plaintiff	)	JUDGE MICHAEL J. RUSSO
)	
vs.)	
)	
VERO HEALTH MANAGEMENT, LLC.,	)	<u>CONSENT JUDGMENT ENTRY</u>
ET AL.	)	<u>ON COUNT 3 OF PLAINTIFF'S</u>
	)	<u>COMPLAINT</u>
)	
Defendants)	

BY AGREEMENT OF THE PARTIES, Judgment is hereby rendered on behalf of Plaintiff, Adaptige, LLC., against the Defendant, Vero Health XVI, LLC., dba Vero Health & Rehab of Worcester only, on Count Three of the Plaintiff's Complaint in the amount of \$132,716.15, together with interest at the statutory rate of 5% per annum from the date of Judgment, plus court costs.

IT IS SO ORDERED.

JUDGE MICHAEL J. RUSSO

Submitted and Approved:
WELTMAN, WEINBERG & REIS CO., LPA GALLAGHER SHARP., LLP.

/s/ Scott S. Weltman
SCOTT S. WELTMAN #0044173
Attorney for Plaintiff
965 Keynote Circle
Cleveland, Ohio 44131
Telephone: (216) 685-1032
Facsimile: (216) 363-6914
Email: sweltman@weltman.com

via consent
JENNIFER F. PHILLIPS #0076769
Attorney for Defendant,
Vero Health XVI, LLC., dba
Vero Health & Rehab of Worcester
1215 Superior Avenue, 7th Floor
Cleveland, OH 44114
Email: jphillips@gallaghersharp.com

WWR # 040930758

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ADAPTIGE, LLC.	)	CASE NO. CV 22-962680
)	
)	
Plaintiff	)	JUDGE MICHAEL J. RUSSO
)	
vs.)	
)	
VERO HEALTH MANAGEMENT, LLC.,	)	<u>CONSENT JUDGMENT ENTRY</u>
ET AL.	)	<u>ON COUNT 4 OF PLAINTIFF'S</u>
	)	<u>COMPLAINT</u>
)	
Defendants)	

BY AGREEMENT OF THE PARTIES, Judgment is hereby rendered on behalf of Plaintiff, Adaptige, LLC., against the Defendant, Vero Health XV, LLC., dba Vero Health & Rehab of Amesbury only, on Count Four of the Plaintiff's Complaint in the amount of \$84,764.89, together with interest at the statutory rate of 5% per annum from the date of Judgment, plus court costs.

IT IS SO ORDERED.

JUDGE MICHAEL J. RUSSO

Submitted and Approved:
WELTMAN, WEINBERG & REIS CO., LPA GALLAGHER SHARP., LLP.

/s/ Scott S. Weltman
SCOTT S. WELTMAN #0044173
Attorney for Plaintiff
965 Keynote Circle
Cleveland, Ohio 44131
Telephone: (216) 685-1032
Facsimile: (216) 363-6914
Email: sweltman@weltman.com

via consent
JENNIFER F. PHILLIPS #0076769
Attorney for Defendant,
Vero Health XV, LLC., dba
Vero Health & Rehab of Amesbury
1215 Superior Avenue, 7th Floor
Cleveland, OH 44114
Email: jphillips@gallaghersharp.com

WWR # 040930758

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ADAPTIGE, LLC.	) CASE NO. CV 22-962680
)
)
Plaintiff	) JUDGE MICHAEL J. RUSSO
)
vs.)
	) <u>CONSENT JUDGMENT ENTRY</u>
	) <u>ON COUNT 5 OF PLAINTIFF'S</u>
VERO HEALTH MANAGEMENT, LLC.,	) <u>COMPLAINT</u>
ET AL.)
)
Defendants)

BY AGREEMENT OF THE PARTIES, Judgment is hereby rendered on behalf of Plaintiff, Adaptige, LLC., against the Defendant, Vero Health XIII, LLC., dba Vero Health & Rehab of South Hadley only, on Count Five of the Plaintiff's Complaint in the amount of \$172,608.77, together with interest at the statutory rate of 5% per annum from the date of Judgment, plus court costs.

IT IS SO ORDERED.

JUDGE MICHAEL J. RUSSO

Submitted and Approved:

WELTMAN, WEINBERG & REIS CO., LPA GALLAGHER SHARP., LLP.

/s/ Scott S. Weltman
SCOTT S. WELTMAN #0044173
Attorney for Plaintiff
965 Keynote Circle
Cleveland, Ohio 44131
Telephone: (216) 685-1032
Facsimile: (216) 363-6914
Email: sweltman@weltman.com

via consent
JENNIFER F. PHILLIPS #0076769
Attorney for Defendant,
Vero Health XIII, LLC., dba
Vero Health & Rehab of South Hadley
1215 Superior Avenue, 7th Floor
Cleveland, OH 44114
Email: jphillips@gallaghersharp.com

WWR # 040930758

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ADAPTIGE, LLC.	)	CASE NO. CV 22-962680
)	
)	
Plaintiff	)	JUDGE MICHAEL J. RUSSO
)	
vs.)	
)	
VERO HEALTH MANAGEMENT, LLC.,	)	<u>CONSENT JUDGMENT ENTRY</u>
ET AL.	)	<u>ON COUNT 6 OF PLAINTIFF'S</u>
	)	<u>COMPLAINT</u>
)	
Defendants)	

BY AGREEMENT OF THE PARTIES, Judgment is hereby rendered on behalf of Plaintiff, Adaptige, LLC., against the Defendant, Vero Health XVII, LLC., dba Vero Health & Rehab of Revere only, on Count Six of the Plaintiff's Complaint in the amount of \$9,354.61, together with interest at the statutory rate of 5% per annum from the date of Judgment, plus court costs.

IT IS SO ORDERED.

JUDGE MICHAEL J. RUSSO

Submitted and Approved:

WELTMAN, WEINBERG & REIS CO., LPA GALLAGHER SHARP., LLP.

/s/ Scott S. Weltman
SCOTT S. WELTMAN #0044173
Attorney for Plaintiff
965 Keynote Circle
Cleveland, Ohio 44131
Telephone: (216) 685-1032
Facsimile: (216) 363-6914
Email: sweltman@weltman.com

via consent
JENNIFER F. PHILLIPS #0076769
Attorney for Defendant,
Vero Health XVII, LLC., dba
Vero Health & Rehab of Revere
1215 Superior Avenue, 7th Floor
Cleveland, OH 44114
Email: jphillips@gallaghersharp.com

WWR # 040930758

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ADAPTIGE, LLC.	)	CASE NO. CV 22-962680
)	
)	
Plaintiff	)	JUDGE MICHAEL J. RUSSO
)	
vs.)	
	)	<u>CONSENT JUDGMENT ENTRY</u>
	)	<u>ON COUNT 7 OF PLAINTIFF'S</u>
VERO HEALTH MANAGEMENT, LLC.,	)	<u>COMPLAINT</u>
ET AL.)	
)	
Defendants)	

BY AGREEMENT OF THE PARTIES, Judgment is hereby rendered on behalf of Plaintiff, Adaptige, LLC., against the Defendant, Vero Health XI, LLC., dba Vero Health & Rehab of Hampden only, on Count Seven of the Plaintiff's Complaint in the amount of \$114,431.52, together with interest at the statutory rate of 5% per annum from the date of Judgment, plus court costs.

IT IS SO ORDERED.

JUDGE MICHAEL J. RUSSO

Submitted and Approved:
WELTMAN, WEINBERG & REIS CO., LPA GALLAGHER SHARP., LLP.

/s/ Scott S. Weltman
SCOTT S. WELTMAN #0044173
Attorney for Plaintiff
965 Keynote Circle
Cleveland, Ohio 44131
Telephone: (216) 685-1032
Facsimile: (216) 363-6914
Email: sweltman@weltman.com

via consent
JENNIFER F. PHILLIPS #0076769
Attorney for Defendant,
Vero Health XI, LLC., dba
Vero Health & Rehab of Hampden
1215 Superior Avenue, 7th Floor
Cleveland, OH 44114
Email: jphillips@gallaghersharp.com

**IN THE CIRCUIT COURT OF SEBASTIAN COUNTY, ARKANSAS
FORT SMITH DIVISION**

**AEGIS THERAPIES, INC.
PLAINTIFF**

v.

Case No. 66FCV-22-447

**VERO HEALTH MANAGEMENT, LLC;
THORNTON HALL NURSING AND REHABILITATION CENTER, LLC;
VERO HEALTH XV, LLC, d/b/a VERO HEALTH & REHAB OF AMESBURY;
VERO HEALTH XI, LLC, d/b/a VERO HEALTH & REHAB OF HAMPDEN;
VERO HEALTH XVII, LLC, d/b/a VERO HEALTH & REHAB OF REVERE;
VERO HEALTH XIII, LLC d/b/a VERO HEALTH & REHAB OF SOUTH HADLEY;
VERO HEALTH XIV, LLC d/b/a VERO HEALTH & REHAB OF WATERTOWN;
VERO HEALTH XII, LLC d/b/a VERO HEALTH & REHAB OF WILBRAHAM; and
VERO HEALTH XVI, LLC d/b/a VERO HEALTH & REHAB OF WORCESTER
DEFENDANTS**

JUDGMENT

Now on this ____ day July, 2023, comes on for consideration the Offers of Judgment and Dismissal without Prejudice as to Defendant Vero Health Management, LLC, filed herein on or about February 15, 2023. From pleadings in the file, representations of counsel and other matters appearing to and before the Court, the Court finds as follows:

1. The separate defendants, Vero Health XI, LLC, d/b/a Vero Health & Rehab of Hampden; Vero Health XII, LLC d/b/a Vero Health & Rehab of Wilbraham; Vero Health XIII, LLC d/b/a Vero Health & Rehab of South Hadley; Vero Health XIV, LLC d/b/a Vero Health & Rehab of Watertown; Vero Health XV, LLC, d/b/a Vero Health & Rehab of Amesbury; Vero Health XVI, LLC d/b/a Vero Health & Rehab of Worcester; Vero Health XVII, LLC, d/b/a Vero Health & Rehab of Revere, offered specific monetary judgments on or about February 15, 2023, which included a dismissal without prejudice as to Defendant Vero Health Management, LLC.

2. Defendants extended the time for the Plaintiff to respond to said Offer of Judgment.

3. The plaintiff has now accepted the Offer of Judgment as proposed in the Offer of Judgment and Dismissal without Prejudice as to Vero Health Management, LLC filed on February 15, 2023.

4. Accordingly, the Court hereby enters judgment in favor of the plaintiff, AEGIS Therapies, Inc., as follows:

- a. Vero Health XI, LLC, d/b/a Vero Health & Rehab of Hampden judgment \$138,946.96;
- b. Vero Health XII, LLC, d/b/a Vero Health & Rehab of Wilbraham judgment \$306,616.18;
- c. Vero Health XIII, LLC, d/b/a Vero Health & Rehab of South Hadley judgment \$263,447.89;
- d. Vero Health XIV, LLC, d/b/a Vero Health & Rehab of Watertown judgment \$239,512.25;
- e. Vero Health XV, LLC, d/b/a Vero Health & Rehab of Amesbury judgment \$184,071.15;
- f. Vero Health XVI, LLC, d/b/a Vero Health & Rehab of Worcester judgment \$248,398.70;
- g. Vero Health XVII, LLC, d/b/a Vero Health & Rehab of Revere judgment \$275,597.44;

5. Said judgments are inclusive of all costs, expenses, and fees. Said judgments will accrue post-judgment interest at the post-judgment interest rate allowed by Arkansas law from the date of the entry of this Judgment.

6. The Complaint of AEGIS Therapies, Inc., with all amendments thereto as against separate defendants Vero Health Management, LLC is hereby dismissed without prejudice.